



#11

Attorney Docket No. 1908-95650

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rothman, Steven M.

For: SYSTEM AND METHOD FOR COOLING THE
CORTEX TO TREAT NEOCORDICAL
SEIZURES

Serial No.: 09/905,715

Filed: May 4, 2001

Examiner: R. Gibson

Group Art Unit: 3739

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, DC 20231

RECEIVED

NOV 26 2003

TECHNOLOGY CENTER R3700

AFFIDAVIT UNDER 37 CFR § 1.132

Matthew W. Hill, M.D., Ph.D. having been duly sworn upon his oath, deposes and states as follows:

1. I am currently a resident physician in the Department of Anesthesiology at the University of Chicago.
2. I worked in Dr. Steven M. Rothman's laboratory at Washington University in St. Louis from July of 1995 until May of 2000.
unth
3. Dr. Steven M. Rothman conceived of, and discussed with me, the invention disclosed in his above identified patent application well prior to January 12, 1998, and diligently reduced to practice the invention thereafter. The invention, as originally conceived and discussed with me, was to use focal cooling to locally cool the cortex, to arrest, and/or prevent neocortical seizures.

4. Dr. Rothman purchased cooling (Peltier) devices in May of 1997 that were used to reduce the invention to practice and that were specifically purchased for the experiments involved in the invention disclosed in the application, and for no other purpose.

Further Affiant Sayeth Not.

Matthew W. Hill

Matthew W. Hill, M.D., Ph.D.

STATE OF Illinois)
COUNTY OF Will) SS:

Before me, a notary public, personally Matthew W. Hill, M.D., Ph.D. on the 23 day of October, 2003, and being duly sworn, stated that the facts contained in the foregoing Affidavit are true and correct to his/her best knowledge, information and belief.

Theresa J. Cumming
Notary Public

My Commission Expires: 6/21/2005

